

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Cassandra Williams,

Plaintiff,

v.

Town of Summerville Police Department,

Defendant.

Case No: 2:23-cv-05699-DCN-MHC

COMPLAINT

INTRODUCTION

Plaintiff Cassandra Williams, by and through her undersigned counsel, hereby brings the Causes of Action of Race Discrimination/Racially Hostile Work Environment pursuant to Title VII of the Civil Rights Act of 1964, as amended, Breach of Contract and Retaliation pursuant to Title VII of the Civil Rights Act of 1964, as amended, against the Town of Summerville Police Department, (“Defendant”) based on the following allegations.

ADMINISTRATIVE CHARGE

Plaintiff has exhausted all administrative remedies and prerequisites prior to filing this lawsuit, including timeliness, deferral, and all other jurisdictional requirements necessary for the maintenance of this Action, as described below:

- a. Plaintiff timely filed a Charge with the Equal Employment Opportunity Commission (“EEOC) on July 1, 2022.
- b. Plaintiff received a Notice of Right to Sue from the EEOC on August 9, 2023.
- c. Plaintiff has timely filed this action within ninety (90) days of the date on which she received her Notice of Right to Sue as described in Paragraph 1(b).

JURISDICTION AND VENUE

1. The Court has jurisdiction over this action pursuant to 28 U.S.C. Sections 1331 and 1343 and 42 U.S.C. Section 2000e (5), this being a proceeding to enforce rights and remedies secured under 42 U.S.C. Section 2000(e) et. seq. (Title VII of the Civil Rights Act of 1964 (“Title VII”)) and other Federal statutes. This Court also has pendant and supplementary jurisdiction over so much of this action as is based on State law.
2. Venue is proper in the Charleston Division, because the Causes of Action arose therein, the acts and practices complained of occurred there, and it is where Defendant does business and may be found.

PARTIES

3. Plaintiff Cassandra Williams is a citizen of the State of South Carolina and resides in Dorchester County.
4. Defendant Town of Summerville Police Department (herein after referred to as “Defendant” or “Town” as appropriate) is a Municipality formed under the laws of South Carolina in Dorchester County, South Carolina. Currently the Town has three hundred eighty-four (384) full time employees.

FACTS

5. Plaintiff is a 47-year-old African American female who worked for the Defendant from August 3, 1999 until her forced resignation on October 5, 2021.
6. Due to her success from 1999 to 2021 the Plaintiff received three promotions to the titles of: Sergeant in 2008, Lieutenant in 2013, and Captain in 2016
7. At all times Plaintiff performed her job well and to the best of her ability.

8. The Plaintiff was met with hostility from her male coworkers throughout her employment with the Defendant due to her being an African American female who was promoted to Captain.
9. In her new management position role of Captain she was not respected or supported by her colleagues.
10. Under the threat of termination, due to a hostile work environment as a African American female officer with rank, the Plaintiff was demoted in March of 2019 to the rank of Lieutenant.
11. The Plaintiff would complain in her Management Direct Reports regarding the hostile work environment she would encounter, her complaints were ignored.
12. The plaintiff's internal complaints resulted in her workplace environment becoming more hostile and her subordinates being encouraged to insubordinate.
13. A pattern of complaint encouraging against the Plaintiff was supported by the newly appointed Police Chief Mr. Wright, in September of 2021 the Plaintiff was again demoted to Patrol on the orders of Mr. Wright
14. The demotion to Patrol was without cause and humiliating to the Plaintiff, a demotion based on the merits of Racial and Gender Discrimination.
15. Having experienced Racial and Gender Discrimination the Plaintiff was constructively terminated October 5th 2021,

FIRST CAUSE OF ACTION

Racial Discrimination / Racially Hostile Work Environment in Violation of Title VII of the Civil Rights Act of 1964

16. Plaintiff reiterates each and every allegation in the previous paragraphs as if set forth verbatim herein.

17. Plaintiff asserts that the preferential treatment, harassment and termination were a mere pretext for the discrimination against Plaintiff based on her race.
18. Defendant was wanton, reckless, and intentional in its discrimination against the Plaintiff in changing the terms and conditions of her employment based upon her race.
19. In failing to protect Plaintiff from race discrimination, preferential treatment, or harassment, the Defendants acted with malice and/or reckless indifference to the federally protected rights set out in Title VII of the Civil Rights Act of 1964, as amended.
20. Defendants violated Title VII of the Civil Rights Act of 1964, as amended, by allowing race discrimination, race-based harassment, and race-based preferential treatment to exist in the workplace.
21. The Defendants wrongful actions set forth as aforesaid constituted a hostile work environment for the Plaintiff. Defendants violated Title VII of the Civil Rights Act of 1964, as amended, by allowing a racially hostile work environment to exist in the workplace.
22. The aforesaid conduct of Defendants and Defendants' agents and servants, violated laws against harassment and was in fact harassment in nature and violation of Title VII of the Civil Rights Act of 1964, as amended.
23. As a direct and proximate result of Defendants' discrimination on the basis of her race, Plaintiff has suffered a loss of wages, benefits, and employment opportunities.
24. Defendants' employment discrimination has caused, continues to cause, and will cause Plaintiff to suffer substantial damage for pecuniary losses, embarrassment, humiliation,

- pain, suffering, and mental anguish, loss of enjoyment of life, and other non-pecuniary losses.
25. Plaintiff is entitled to injunctive relief and/or civil damages from Defendants as a result of the employment discrimination alleged above.
26. Due to that acts of Defendants, their agents, and employees, Plaintiff is entitled to injunctive relief and/or civil damages, back wages, plus interest, payment for lost benefits, and reinstatement of benefits and front pay.

SECOND CAUSE OF ACTION
Breach of Contract

27. Plaintiff reiterates each and every allegation in the previous paragraphs as if set forth verbatim herein.
28. Plaintiff and Defendant entered into a binding and valid contract whereby Defendant offered Plaintiff employment. Plaintiff accepted the offer of employment and agreed to fulfill the duties of her position in exchange for valuable consideration, her salary, as well as Defendant's guarantees that she would be protected from discrimination and other illegal acts.
29. Defendant maintains an employment handbook and its own policies and procedures.
30. At all times during the course of her employment, Plaintiff relied on the promises contained in Defendant's handbook, policies and procedures, and governing documents.
31. Defendant breached its employment contract with Plaintiff and its own policies and procedures by failing to protect Plaintiff from the actions of Defendants, to include retaliation on the basis of Plaintiff's protected complaints

THIRD CAUSE OF ACTION

Retaliation in Violation of Title VII of the Civil Rights Act of 1964

32. Plaintiff reiterates each and every allegation in the previous paragraphs as if set forth verbatim herein.

33. Plaintiff repeatedly objected to and protested the violations of her federally protected rights within the Defendant's administrative structure and later, to the Equal Employment Opportunity Commission.

34. After Plaintiff sought to seek relief from Defendant's discriminatory practices, to include but not limited to consulting with upper management through the chain-of-command, Defendant retaliated against her by a continuance of harassment and by not addressing her complaints.

35. Accordingly, Plaintiff is entitled to compensatory and punitive damages in the nature of the value of her lost wages and benefits, front pay, together with interest thereon, as well as liquidated damages, and her reasonable attorney's fees for the bringing of this action.

JURY TRIAL REQUESTED

Plaintiff requests a jury trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that this Honorable Court declares that Defendant's actions complained of herein violated the rights guaranteed to Plaintiff and issue its judgment:

- a. Declaring the actions complained of herein illegal.
- b. Issuing an injunction enjoining the Defendants, their agents, employees, successors, attorneys and those acting in concert or participation with the Defendants, and at their direction from engaging in the unlawful practices set forth herein and any other employment practices shown to be in violation Title VII of the Civil Rights Act of 1964, as amended (race discrimination / racially hostile work environment / retaliation), breach of contract, and the common laws of the State of South Carolina.
- c. Awarding Plaintiff compensatory and punitive damages for each Cause of Action contained herein as appropriate, which the jury should find appropriate as a result of the Defendants' unlawful discriminatory actions taken as the result of Plaintiff's race and other pled causes of action; including mental anguish, pain and suffering, harm to Plaintiff's economic opportunities, any back pay, front pay and future earnings with cost of living adjustments, prejudgment interest, fringe benefits, and retirement benefits;
- d. Awarding Plaintiff her costs and expenses in this action, including reasonable attorney fees, and other litigation expenses; and Granting such other and further relief as may be just and necessary to afford complete relief to the Plaintiff as this Court may deem just and proper.

[SIGNATURE BLOCK ON THE FOLLOWING PAGE]

Respectfully Submitted,

____s/Donald Gist_____

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